IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WA.No. 891 of 2007

AGAINST THE JUDGEMENT IN W.P.(C).NO.9035/2007 DATED 21/03/2007
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APPELLANT/RESPONDENT NO.7:

VIJAYAKUMAR,S/O.SANKARAPILLAI,RESIDING AT PRASANNA VILASAM,BHARATHEEYAM VEEDU, CHITTANIKARA DESOM,ATTINGAL VILLAGE, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.C.C.THOMAS.

RESPONDENTS/PETITIONER & RESPONDENTS 1 TO 6:
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1. **C.SREEKUMARAN,S/O.CHELLAPPAN,RESIDING AT 'SREEJU BHAVAN',ARAD P.O,NEDUMANGADU TALUK, THIRUANANTHAPURAM DISTRICT.**
2. **STATE OF KERALA, REPRESENTED BY ITS SECRETARY TO TAXES (A) DEPARTMENT,SECRETARIAT, THIRUVANANTHAPURAM.**
3. **THE COMMISSIONER OF EXCISE,EXCISE COMMISSIONERATE,THIRUVANANTHAPURAM.**
4. **THE ASST.EXCISE COMMISSIONER, THIRUVANANTHAPURAM.**
5. **SIVAPRASANTH MOHAN,S/O.MOHANACHANDRAN, RESIDING AT KATTIL VEEDU,TC 79/2068,KARIKKAGAM DESOM,KADAKAMPILLY VILLAGE,THIRUVANANTHAPURA DIST.**

W.A. NO. 891/2007:

6. NABEES KUMAR,S/O.SUKUMARAN,RESIDING AT SARASWATHI VILASAM,SREE NARAYANAPURAM DESOM, KEEZHTHONNAKKAL VILLAGE,THIRUVANANTHAPURAM DIST.

7. RAJESH,S/O.SIVANANDAN,RESIDING AT PARVATHI NIVAS,NEAR ATTINGAL L.M.S JUNCTION, CHITTANIKKARA DESOM,KAVANAVANCHERY VILLAGE, CHIRAYINKEEZHU TALUK,THIRUVANANTHAPURAM DISTRICT.

BY SR. GOVT. PLEADER SMT. K. MEERA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 03/04/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN, AG.C.J. & M.N. KRISHNAN,J.

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W.A. NO. 891 OF 2007

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Dated this the 3rd day of April, 2007.

J U D G M E N T

Radhakrishnan, Ag.C.J.

This writ appeal is preferred against the order of this Court in W.P.C.9035/07. After hearing learned counsel for the appellant/petitioner as well as the learned Government Pleader, we are inclined to dispose of this writ appeal with the observation that the allotment of shops, if any, be made subject to the result of the writ petition.

K.S. RADHAKRISHNAN,
ACTING CHIEF JUSTICE.

M.N. KRISHNAN, JUDGE.

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